

# FAX TRANSMISSION

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**Fax: (703) 308-6916**

**To:** Jordan Becker

**Date:** June 23, 2003

**Fax #:** (408) 720-8383

**Pages:** 1, including this cover sheet.

**From:** Karen Creasy

**Subject:** Application No. 09/755,482 Dkt. No. 3399P039

## COMMENTS:

Thank you for your petition, filed May 14, 2003, requesting revival of the above-identified application under the provisions of 37 CFR 1.137(f), which will be treated under 37 CFR 1.137(b).

The petition states that a Request to Rescind Previous Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(ii) was previously filed by applicant. However, there is no record or evidence in the above-identified file that such notice was ever filed. Therefore, please provide evidence that such notice was filed.

In order to expedite processing of the petition, please transmit the above by facsimile to the number indicated above and to my attention. Should you have any further questions concerning this matter, please feel free to contact me at the above telephone number.

Thank you for your patience in this matter.

**BLAKELY** 1279 OAKMEAD PARKWAY  
**SOKOLOFF** SUNNYVALE, CALIFORNIA 94085  
**TAYLOR &** (408) 720-8300 (Telephone)  
**ZAFMAN** (408) 720-8383 (Facsimile)

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**FACSIMILE TRANSMITTAL SHEET (TRANSMITTAL TO PTO)**

Deliver to: Karen Creasy  
Firm Name: U.S. PATENT AND TRADEMARK OFFICE  
Fax Number: 703-308-6916 Telephone No.: \_\_\_\_\_  
From: Jordan M. Becker  
Date: 6/24/2003 Time: \_\_\_\_\_  
Operator: Julie Arango Matter: 3399P039  
Number of pages including cover sheet: 3  
In Re Patent Application of: Curtis G. Yarvin  
Application No.: 09/755,482  
Filed: January 5, 2001  
For: Method and Apparatus for Dynamically Updating a Markup Language Based User Interface

Enclosed are the following documents:

**COURTESY COPIES of**

- [X] Date stamped postcard dated December 26, 2001 (1 pg.)  
[X] Request to Rescind Previous Nonpublication Request Under 35 U.S.C.  
122(b)(2)(B)(ii) (1 pg.)

**CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on:

Date of Transmission June 24, 2003

Julie Arango (Typed or printed name of person transmitting paper)  
Julie Arango 6/24/03  
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BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN  
LOS ANGELES

Serial/Patent No.: 09/755,482 Filing/Issue Date: January 5, 2001  
 Client: Openwave Systems Inc.  
 Title: Method and Apparatus for Dynamically Updating a Markup Language Based User Interface

BSPZ File No.: 1199P039

Date Mailed: 12-11-01

Atty/Secty Initials: JMR/jan

Docket Due Date: \*\*\*

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Amendment/Response (____ pgs.)                                    | <input type="checkbox"/> Express Mail No.: _____                                     | <input type="checkbox"/> Check No. _____ |
| <input type="checkbox"/> Appeal Brief (____ pgs.) (in duplicate)                           | <input type="checkbox"/> Month(s) Extension of Time _____                            | <input type="checkbox"/> Amr. _____      |
| <input type="checkbox"/> Application - Utility (____ pgs., with cover and abstract)        | <input type="checkbox"/> Information Disclosure Statement & PTO-1440 (____ pgs.)     | <input type="checkbox"/> Check No. _____ |
| <input type="checkbox"/> Application - Rule 1.53(b) Continuation (____ pgs.)               | <input type="checkbox"/> Issue Fee Transmittal                                       |  |
| <input type="checkbox"/> Application - Rule 1.53(b) Divisional (____ pgs.)                 | <input type="checkbox"/> Notice of Appeal  |  |
| <input type="checkbox"/> Application - Rule 1.53(h) CIP (____ pgs.)                        | <input type="checkbox"/> Petition for Extension of Time                              |  |
| <input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (____ pgs.)            | <input type="checkbox"/> Petition for _____  |  |
| <input type="checkbox"/> Application - Design (____ pgs.)                                  | <input type="checkbox"/> Postcard  |  |
| <input type="checkbox"/> Application - ICF (____ pgs.)                                     | <input type="checkbox"/> Power of Attorney (____ pgs.)                               |  |
| <input type="checkbox"/> Application - Provisional (____ pgs.)                             | <input type="checkbox"/> Preliminary Amendment (____ pgs.)                           |  |
| <input type="checkbox"/> Assignment and Cover Sheet  | <input type="checkbox"/> Reply Brief (____ pgs.)                                     |  |
| <input checked="" type="checkbox"/> Certificate of Mailing                                 | <input type="checkbox"/> Response to Notice of Missing Parts                         |  |
| <input type="checkbox"/> Declaration & POA (____ pgs.)                                     | <input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business |  |
| <input type="checkbox"/> Evidence Data & Obj. & Copy of In re Re-Signed Letter (____ pgs.) | <input type="checkbox"/> Transmittal Letter, in duplicate                            |  |
| <input type="checkbox"/> Drawings: ____ of sheets includes ____ figures                    | <input type="checkbox"/> Fee Transmittal, in duplicate                               |  |

Other: Request to Rescind Previous Nonpublication Request 35 U.S.C. 122(b)(2)(B)(ii)



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Approved for use through 10/31/2002. OMB 0651-0031

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.REQUEST TO RESCIND PREVIOUS NONPUBLICATION REQUEST  
35 U.S.C. 122(b)(2)(B)(ii)Application Number 09/755,482Filing Date January 5, 2001First Named Inventor Curtis G. YarvinTitle Method and Apparatus for Dynamically Updating a Markup Language Based User InterfaceAttorney Docket No. 3399P039Group Art Unit 2173Examiner Not yet assigned

I hereby rescind the previous request that the above-identified application not be published under 35 U.S.C. 122(b).

## ORIGINAL SIGNED BY

12/11/01

Date

JMB

Signature

Jordan M. Becker

Typed or Printed Name

Registration No.

This request must be signed in compliance with 37 CFR 1.33(b).

Send to: Assistant Commissioner for Patents, Washington, D.C. 20231

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

on December 11, 2001

Date of Deposit

Julie Atran

Name of Person Mailing Correspondence

Julie Atran 12/11/01

Signature

Date